

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

EMERSON ELECTRIC CO.,

Plaintiff,

-against-

CHARLES S. HOLMES and ASSET MANAGEMENT
ASSOCIATES OF NEW YORK, INC.,

Defendants.

2:16-cv-01390-PKC-SIL

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Local Rule 56.1(a) Statement of Material Facts, the Declaration of Leonard F. Lesser, dated September 14, 2018 and the exhibits annexed thereto, and the accompanying Memorandum of Law, and upon all of the pleadings and prior proceedings had herein, the undersigned, counsel to plaintiff Emerson Electric Co. ("Emerson"), will move this Court before the Honorable Steven I. Locke, United States Magistrate Judge, at a time and date to be set by this Court, at the United States District Court, Eastern District of New York, 100 Federal Plaza, Central Islip, New York 11722, for an Order pursuant to Federal Rules of Civil Procedure 55(a) and 56 awarding Emerson default judgment and summary judgment against defendants Charles S. Holmes and Asset Management Associates of New York, Inc.

PLEASE TAKE FURTHER NOTICE that pursuant to the parties' August 25, 2018 agreement, opposition and cross-motion papers, if any, shall be served upon the undersigned by October 22, 2018, reply and opposition to cross-motion papers shall be served by the undersigned by November 19, 2018 and cross-motion reply papers, if any, shall be served upon the undersigned by December 10, 2018.

Dated: New York, New York
September 14, 2018


SIMON • LESSER PC

By: _____

Leonard F. Lesser, Esq.

355 Lexington Avenue, 10th Floor

New York, New York 10017

(212) 599-5455

llesser@simonlesser.com

Attorneys for Plaintiff Emerson Electric Co.

To: Barry M. Kazan
Thompson Hine LLP
335 Madison Avenue
New York, NY 10017
Attorneys for Defendant Charles S. Holmes